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June 15, 2021

The Honorable Gabriel W. Gorenstein
500 Pearl Street
New York, NY 10007

MEMORANDUM ENDORSEMENT

Re: *La Belle v. Barclays Capital Inc.*, 19-CV-3800 (JPO) (GWG)

Your Honor:

We write seeking permission pursuant to Local Rule 33.3 to serve Defendant with the interrogatory described below. We informally requested this information from Defendant on May 28, 2021 via e-mail. Having heard no response, on June 11, 2021, we followed up and asked again via e-mail whether Defendant intended to provide the information, and also requested a meet and confer for that afternoon or Monday June 14 to discuss the issue. Defendant did not reply, did not provide the information, and did not make itself available for the meet and confer requested. Thus, we are unfortunately compelled to seek a conference with the Court to resolve this dispute.

The dispute revolves around the fact that Plaintiff had his phone lines recorded during his employment. Upon information and belief, this was because Plaintiff sold securities and was responsible for trading various derivative and swap instruments on behalf of the firm. Thus, his lines were recorded to stay in compliance with the securities laws. However, based on information provided to us from Defendant, Defendant stopped recording Plaintiff's lines on May 5, 2018, even though Plaintiff remained employed for about three more months, until August 1, 2018.

Plaintiff has a simple question for Defendant: Why did Defendant stop recording Plaintiff's lines on May 5, 2018. Plaintiff seeks permission to serve Defendant with an interrogatory seeking this information, or alternatively an order requiring Defendant to provide this information.

Application denied for failure to comply with paragraph 2.A of the Court's Individual Practices. Try calling opposing counsel.

So Ordered.


GABRIEL W. GORENSTEIN
United States Magistrate Judge

June 15, 2021

Respectfully submitted,


Steven Barentzen